

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) An apparatus comprising:

a digital television receiver to receive a digital television broadcast signal, the digital television broadcast signal including a an Internet Protocol (IP) based data test stream located on a Packet Identifier (PID) of the digital television broadcast signal having a plurality of sequentially numbered IP data packets used to determine ~~the~~ a service level of a the digital television broadcast signal being received on a channel; and

a service level determiner to determine the service level of the digital television broadcast signal based upon a loss of IP data packets from the IP data test stream and to cause the service level to be displayed[[;]], wherein the service level determiner measures a number of IP data packets of the IP data test stream received by the digital television receiver over a predetermined interval and determines a data packet loss percentage value for the IP data test stream by calculating a ratio of the measured number of IP data packets received by the digital receiver and a number of IP data packets that should have been received by the digital receiver[[.]]; and

a display device to display a service level diagnostic indicator based upon the loss of IP data packets from the IP data test stream to indicate the service level of the digital television broadcast signal, the service level diagnostic indicator being updated at predetermined intervals.

- 2-8. (Canceled)

9. (Currently Amended) The apparatus of claim 8 1, wherein the service level diagnostic indicator is a bar shaped meter indicating a service level range from 0% to 100%.

10. (Canceled)

11. (Currently Amended) The apparatus of claim & 1, wherein the display device is a television.

12. (Original) The apparatus of claim 1, wherein the digital television broadcast signal is communicated from a terrestrial broadcast station.

13. (Original) The apparatus of claim 1, wherein the digital television broadcast signal is communicated via a satellite network.

14. (Original) The apparatus of claim 1, wherein the service level determiner is implemented with a set-top box.

15. (Currently Amended) A method comprising:

receiving a digital television broadcast signal that includes a an Internet Protocol (IP) based data test stream located on a Packet Identifier (PID) of the digital television broadcast signal having a plurality of sequentially numbered IP data packets, ~~the data test stream~~ used to determine ~~the~~ a service level of a the digital television broadcast signal being received on a channel;

determining the service level of the digital television broadcast signal based upon a loss of IP data packets from the IP data test stream wherein determining the service level includes measuring a number of IP data packets of the IP data test stream received over a predetermined interval and determining a data packet loss percentage value for the IP data test stream by calculating a ratio of the measured number of IP data packets received and a number of IP data packets that should have been received; and

displaying ~~the service level~~ a service level diagnostic indicator based upon the loss of IP data packets from the IP data test stream to indicate the service level of the digital television broadcast signal, the service level diagnostic indicator being updated at predetermined intervals.

16.-22. (Canceled)

23. (Currently Amended) The method of claim ~~22~~ 15, wherein the service level diagnostic indicator is a bar shaped meter indicating a service level range from 0% to 100%.

24. (Canceled)

25. (Currently Amended) The method of claim ~~22~~ 15, wherein the display device is a television.

26. (Original) The method of claim 15, wherein the digital television broadcast signal is communicated from a terrestrial broadcast station.

27. (Original) The method of claim 15, wherein the digital television broadcast signal is communicated via a satellite network.

28. (Original) The method of claim 15, wherein determining the service level of the digital television broadcast signal and displaying the service level is implemented with a set-top box.

29. (Currently Amended) A ~~machine-readable~~ computer-readable storage medium having stored thereon instructions, which when executed by a processor, causes the processor to perform the following:

receiving a digital television broadcast signal that includes a an Internet Protocol (IP) based data test stream located on a Packet Identifier (PID) of the digital television broadcast signal having a plurality of sequentially numbered IP data packets, ~~the data test stream~~ used to determine ~~the~~ a service level of a the digital television broadcast signal being received on a channel;

determining the service level of the digital television broadcast signal based upon a loss of IP data packets from the IP data test stream wherein determining the service level includes measuring a number of IP data packets of the IP data test stream received over a predetermined interval and determining a data packet loss percentage value for the IP data test stream by

calculating a ratio of the measured number of IP data packets received and a number of IP data packets that should have been received; and

displaying ~~the service level~~ a service level diagnostic indicator based upon the loss of IP data packets from the IP data test stream to indicate the service level of the digital television broadcast signal, the service level diagnostic indicator being updated at predetermined intervals.

30-36. (Canceled)

37. (Currently Amended) The ~~machine-readable~~ computer-readable storage medium of claim ~~36~~ 29, wherein the service level diagnostic indicator is a bar shaped meter indicating a service level range from 0% to 100%.

38. (Canceled)

39. (Currently Amended) The ~~machine-readable~~ computer-readable storage medium of claim ~~36~~ 29, wherein the display device is a television.

40. (Original) The ~~machine-readable~~ computer-readable storage medium of claim 29, wherein the digital television broadcast signal is communicated from a terrestrial broadcast station.

41. (Original) The ~~machine-readable~~ computer-readable storage medium of claim 29, wherein the digital television broadcast signal is communicated via a satellite network.

42. (Original) The ~~machine-readable~~ computer-readable storage medium of claim 29, wherein determining the service level of the digital television broadcast signal and displaying the service level is implemented with a set-top box.

43-55. (Canceled)